



**Billing Code 3510-10-P**

**DEPARTMENT OF COMMERCE**

**National Telecommunications and Information Administration**

**Recruitment of First Responder Network Authority Board Members**

**AGENCY:** National Telecommunications and Information Administration, U.S.

Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) issues this Notice on behalf of the First Responder Network Authority (FirstNet) to initiate the annual process to seek expressions of interest from individuals who would like to serve on the FirstNet Board. One of the 12 appointments of nonpermanent members to the FirstNet Board, expiring August 2019, is currently vacant. Additionally, four of the 12 appointments of nonpermanent members to the FirstNet Board expire in August 2018, creating a total of five available appointments to the FirstNet Board. NTIA issues this Notice to obtain expressions of interest in being selected by the Secretary to the FirstNet Board.

**DATES:** Expressions of interest must be postmarked or electronically transmitted on or before [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Persons wishing to submit expressions of interest as described below should send that information to: Marsha MacBride, Associate Administrator of NTIA's Office of Public Safety Communications, by email to *FirstNetBoardApplicant@ntia.doc.gov*; or by U.S. mail or commercial delivery service

to: Office of Public Safety Communications, National Telecommunications and Information Administration, 1401 Constitution Avenue NW, Room 4078, Washington, DC 20230; or by facsimile transmission to (202) 482–5802. Please note that all material sent via the U.S. Postal Service (including “Overnight” or “Express Mail”) is subject to delivery delays of up to two weeks due to mail security procedures.

**FOR FURTHER INFORMATION CONTACT:** Marsha MacBride, Associate Administrator, Office of Public Safety Communications, National Telecommunications and Information Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Room 4078, Washington, DC 20230; telephone: (202) 482–5802; email: mmacbride@ntia.doc.gov. Please direct media inquiries to NTIA’s Office of Public Affairs, (202) 482–7002.

**SUPPLEMENTARY INFORMATION:**

**I. Background and Authority**

The Middle Class Tax Relief and Job Creation Act of 2012 (Act) created the First Responder Network Authority (FirstNet) as an independent authority within NTIA and charged it with ensuring the building, deployment, and operation of a nationwide, interoperable public safety broadband network, based on a single, national network architecture.<sup>1</sup> FirstNet is responsible for ensuring nationwide standards for use and access of the network; issuing open, transparent, and competitive requests for proposals (RFPs) to build, operate, and maintain the network; encouraging these RFPs to leverage, to the maximum extent economically desirable, existing commercial wireless infrastructure to speed deployment of the network; and managing and overseeing

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<sup>1</sup> 47 U.S.C. 1422(b).

contracts with non-federal entities to build, operate, and maintain the network.<sup>2</sup> FirstNet holds the single public safety license granted for wireless public safety broadband deployment. The FirstNet Board is responsible for providing overall policy direction and oversight of FirstNet to ensure the success of the nationwide network.

## **II. Structure**

The FirstNet Board is composed of 15 voting members. The Act names the Secretary of the Department of Homeland Security, the Attorney General of the United States, and the Director of the Office of Management and Budget as permanent members of the FirstNet Board. The Secretary of Commerce appoints the twelve nonpermanent members of the FirstNet Board.<sup>3</sup> The Act requires each Board member to have experience or expertise in at least one of the following substantive areas: Public safety, network, technical, and/or financial.<sup>4</sup> Additionally, the composition of the FirstNet Board must satisfy the other requirements specified in the Act, including that: (i) At least three Board members have served as public safety professionals; (ii) at least three members represent the collective interests of states, localities, tribes, and territories; and (iii) its members reflect geographic and regional, as well as rural and urban, representation.<sup>5</sup> An individual Board member may satisfy more than one of these requirements. The current nonpermanent FirstNet Board members are (noting length of term):

- Susan Swenson (Chairwoman), Telecommunications/technology executive (Term expires: August 2019)

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<sup>2</sup> 47 U.S.C. 1426(b)(1).

<sup>3</sup> 47 U.S.C. 1424(b).

<sup>4</sup> 47 U.S.C. 1424(b)(2)(B).

<sup>5</sup> 47 U.S.C. 1424(b)(2)(A).

- Jeffrey Johnson (Vice Chairman), Fire Chief, retired; CEO Western Fire Chiefs Association; Former Chair, State Interoperability Council, State of Oregon (Term expires: August 2019)
- Neil E. Cox, Telecommunications / technology executive (Term Expires: August 2018)
- Edward Horowitz, Venture capital / technology executive (Term Expires: August 2018)
- Kevin McGinnis, Chief/CEO, North East Mobile Health Services (Term Expires: August 2018)
- Robert Tipton Osterthaler (Term Expires: January 2021)
- Annise D. Parker, Former Mayor, Houston, Texas (Term Expires: August 2018)
- Richard Ross, Jr., Police Commissioner, City of Philadelphia (Term Expires: January 2021)
- Richard W. Stanek, Sheriff, Hennepin County, Minnesota (Term expires: January 2021)
- Teri Takai, Government information technology expert; former CIO, states of Michigan and California (Term expires: August 2019)
- David Zolet, CEO, LMI (Term expires: January 2021)
- Vacant (Term expires: August 2019)

More information about the FirstNet Board is available at [www.firstnet.gov/about/Board](http://www.firstnet.gov/about/Board). Board members are appointed for a term of three years, and Board members may not serve more than two consecutive full three-year terms.<sup>6</sup>

### **III. Compensation and Status as Government Employees**

FirstNet Board members are appointed as special government employees. FirstNet Board members are compensated at the daily rate of basic pay for level IV of the Executive Schedule (approximately \$161,900 per year).<sup>7</sup> Each Board member must be a United States citizen, cannot be a registered lobbyist, and cannot be a registered agent of, employed by, or receive payments from a foreign government.<sup>8</sup>

### **IV. Financial Disclosure and Conflicts of Interest**

FirstNet Board members must comply with certain federal conflict of interest statutes and ethics regulations, including some financial disclosure requirements. A FirstNet Board member will generally be prohibited from participating on any particular matter that will have a direct and predictable effect on his or her personal financial interests or on the interests of the appointee's spouse, minor children, or non-federal employer.

### **V. Selection Process**

At the direction of the Secretary of Commerce, NTIA, in consultation with FirstNet, will conduct outreach to the public safety community, state and local organizations, and industry to solicit nominations for candidates to the Board who satisfy the statutory requirements for membership. In addition, by this Notice, the Secretary of Commerce,

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<sup>6</sup> 47 U.S.C. 1424(c)(2)(A)(ii).

<sup>7</sup> 47 U.S.C. 1424(g).

<sup>8</sup> See, Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions, Office of Management and Budget, 79 FR 47482 (Aug. 13, 2014).

through NTIA, will accept expressions of interest until [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER], 2018 from any individual, or any organization that wishes to propose a candidate, who satisfies the statutory requirements for membership on the FirstNet Board.<sup>9</sup>

All parties wishing to be considered should submit their full name, address, telephone number, email address, a current resume, and a statement of qualifications that references how the candidate satisfies the Act's expertise, representational, and geographic requirements for FirstNet Board membership, as described in this Notice, along with a statement describing why they want to serve on the FirstNet Board and affirming their ability and availability to take a regular and active role in the Board's work. The Secretary of Commerce will select FirstNet Board candidates based on the eligibility requirements in the Act and recommendations submitted by NTIA, in consultation with the FirstNet Board's Governance and Personnel Committee. NTIA will recommend candidates based on an assessment of their qualifications as well as their demonstrated ability to work in a collaborative way to achieve the goals and objectives of FirstNet as set forth in the Act. Board candidates will be vetted through the Department of Commerce and are subject to an appropriate background check for security clearance.

Dated: April 16, 2018.

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Kathy D. Smith,

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<sup>9</sup> Incumbent Board members whose terms expire in August 2018, who are eligible for reappointment, and who wish to be considered for reappointment, do not need to submit an expression of interest in response to this Notice.

Chief Counsel, National Telecommunications and Information Administration.

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